

section, if the Administrator finds that the method of compliance proposed by the applicant provides substantially the same level of airworthiness and that strict compliance with those regulations would impose a severe burden on the applicant. The Administrator may use experience that was satisfactory to an Armed Force of the United States in making such a determination.

(e) The Administrator may require an applicant to comply with special

conditions and later requirements than those in paragraphs (c) and (f) of this section, if the Administrator finds that compliance with the listed regulations would not ensure an adequate level of airworthiness for the aircraft.

(f) Except as provided in paragraphs (b) through (e) of this section, an applicant for a type certificate under this section must comply with the appropriate regulations listed in the following table:

Type of aircraft	Date accepted for operational use by the Armed Forces of the United States	Regulations that apply ¹
Small reciprocating-engine powered airplanes	Before May 16, 1956	CAR Part 3, as effective May 15, 1956.
	After May 15, 1956	CAR Part 3, or FAR Part 23.
Small turbine engine-powered airplanes	Before Oct. 2, 1959	CAR Part 3, as effective Oct. 1, 1959.
	After Oct. 1, 1959	CAR Part 3 or FAR Part 23.
Commuter category airplanes	After (Feb. 17, 1987)	
	FAR Part 23 as of (Feb. 17, 1987) ..	
Large reciprocating-engine powered airplanes	Before Aug. 26, 1955	CAR Part 4b, as effective Aug. 25, 1955.
	After Aug. 25, 1955	CAR Part 4b or FAR Part 25.
Large turbine engine-powered airplanes	Before Oct. 2, 1959	CAR Part 4b, as effective Oct. 1, 1959.
	After Oct. 1, 1959	CAR Part 4b or FAR Part 25.
Rotorcraft with maximum certificated takeoff weight of:		
6,000 pounds or less	Before Oct. 2, 1959	CAR Part 6, as effective Oct. 1, 1959.
	After Oct. 1, 1959	CAR Part 6, or FAR Part 27.
Over 6,000 pounds	Before Oct. 2, 1959	CAR Part 7, as effective Oct. 1, 1959.
	After Oct. 1, 1959	CAR Part 7, or FAR Part 29. ¹ Where no specific date is listed, the applicable regulations are those in effect on the date that the first aircraft of the particular model was accepted for operational use by the Armed Forces.

[Doc. No. 5085, 29 FR 14564, Oct. 24, 1964, as amended by Amdt. 21-59, 52 FR 1835, Jan. 15, 1987; 52 FR 7262, Mar. 9, 1987; 70 FR 2325, Jan. 13, 2005]

EFFECTIVE DATE NOTE: By Amdt. 21-92, 74 FR 53386, Oct. 16, 2009, § 21.27 was amended by removing the words “the Federal Aviation Regulations” in paragraph (c) and adding, in their place, the words “this subchapter”; and removing the word “FAR” from each place it appears in the table in paragraph (f) and adding in its place the words “14 CFR”, effective Apr. 14, 2010.

§ 21.29 Issue of type certificate: import products.

(a) A type certificate may be issued for a product that is manufactured in a foreign country with which the United States has an agreement for the acceptance of these products for export and import and that is to be imported into the United States if—

(1) The country in which the product was manufactured certifies that the

product has been examined, tested, and found to meet—

(i) The applicable aircraft noise, fuel venting and exhaust emissions requirements of this subchapter as designated in § 21.17, or the applicable aircraft noise, fuel venting and exhaust emissions requirements of the country in which the product was manufactured, and any other requirements the Administrator may prescribe to provide noise, fuel venting and exhaust emission levels no greater than those provided by the applicable aircraft noise, fuel venting, and exhaust emission requirements of this subchapter as designated in § 21.17; and

(ii) The applicable airworthiness requirements of this subchapter as designated in §21.17, or the applicable airworthiness requirements of the country in which the product was manufactured and any other requirements the Administrator may prescribe to provide a level of safety equivalent to that provided by the applicable airworthiness requirements of this subchapter as designated in §21.17;

(2) The applicant has submitted the technical data, concerning aircraft noise and airworthiness, respecting the product required by the Administrator; and

(3) The manuals, placards, listings, and instrument markings required by the applicable airworthiness (and noise, where applicable) requirements are presented in the English language.

(b) A product type certificated under this section is considered to be type certificated under the noise standards of part 36, and the fuel venting and exhaust emission standards of part 34, of the Federal Aviation Regulations where compliance therewith is certified under paragraph (a)(1)(i) of this section, and under the airworthiness standards of that part of the Federal Aviation Regulations with which compliance is certified under paragraph (a)(1)(ii) of this section or to which an equivalent level of safety is certified under paragraph (a)(1)(ii) of this section.

[Amdt. 21–27, 34 FR 18363, Nov. 18, 1969, as amended by Amdt. 21–68, 55 FR 32860, Aug. 10, 1990; 55 FR 37287, Sept. 10, 1990]

EFFECTIVE DATE NOTE: By Doc. No. FAA–2006–25877, 74 FR 53386, Oct. 16, 2009, §21.29 was revised, effective Apr. 14, 2010. For the convenience of the user, the revised text is set forth as follows:

§21.29 Issue of type certificate: import products.

(a) The FAA may issue a type certificate for a product that is manufactured in a foreign country or jurisdiction with which the United States has an agreement for the acceptance of these products for export and import and that is to be imported into the United States if—

(1) The applicable State of Design certifies that the product has been examined, tested, and found to meet—

(i) The applicable aircraft noise, fuel venting, and exhaust emissions requirements of this subchapter as designated in §21.17, or

the applicable aircraft noise, fuel venting, and exhaust emissions requirements of the State of Design, and any other requirements the FAA may prescribe to provide noise, fuel venting, and exhaust emission levels no greater than those provided by the applicable aircraft noise, fuel venting, and exhaust emission requirements of this subchapter as designated in §21.17; and

(ii) The applicable airworthiness requirements of this subchapter as designated in §21.17, or the applicable airworthiness requirements of the State of Design and any other requirements the FAA may prescribe to provide a level of safety equivalent to that provided by the applicable airworthiness requirements of this subchapter as designated in §21.17;

(2) The applicant has provided technical data to show the product meets the requirements of paragraph (a)(1) of this section; and

(3) The manuals, placards, listings, and instrument markings required by the applicable airworthiness (and noise, where applicable) requirements are presented in the English language.

(b) A product type certificated under this section is considered to be type certificated under the noise standards of part 36 of this subchapter and the fuel venting and exhaust emission standards of part 34 of this subchapter. Compliance with parts 36 and 34 of this subchapter is certified under paragraph (a)(1)(i) of this section, and the applicable airworthiness standards of this subchapter, or an equivalent level of safety, with which compliance is certified under paragraph (a)(1)(ii) of this section.

§21.31 Type design.

The type design consists of—

(a) The drawings and specifications, and a listing of those drawings and specifications, necessary to define the configuration and the design features of the product shown to comply with the requirements of that part of this subchapter applicable to the product;

(b) Information on dimensions, materials, and processes necessary to define the structural strength of the product;

(c) The Airworthiness Limitations section of the Instructions for Continued Airworthiness as required by parts 23, 25, 26, 27, 29, 31, 33 and 35 of this subchapter, or as otherwise required by the Administrator; and as specified in the applicable airworthiness criteria for special classes of aircraft defined in §21.17(b); and

(d) For primary category aircraft, if desired, a special inspection and preventive maintenance program designed